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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,923	12/22/2000	Jarvis C. Tou	ITL1848US (P9432)	2870
47795	7590	09/29/2008		
TROP, PRUNER & HU, P.C. 1616 S. VOSS RD., SITE 750 HOUSTON, TX 77057-2631			EXAMINER TRINH, TAN H	
			ART UNIT	PAPER NUMBER
			2618	
			MAIL DATE	DELIVERY MODE
			09/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/745,923

Applicant(s)

TOU ET AL.

Examiner

TAN TRINH

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07-14-2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. Patent No. 6509876) in view of Hutchison (U.S. Pub. No. 2001/0005179).

Regarding claim 25, Jones teaches a personal computer memory card international association card (see fig. 1, computer (communication) card 16 (PCMCIA 16) and figs. 8-13, communication card 16) including communication module (see figs. 1 and 8-13, communication card 16, col. 3, lines 15-37, col. 6, lines 57-col. 7, lines 55) comprising: a housing mountable in a personal computer (see fig. 1, computer (communication) card 16 (PCMCIA 16); an antenna reciprocable in and out of the housing (figs. 8-9, antenna extended position and retracted position 36, and figs. 2-3 and 8-9, col. 8, lines 52-63), Jones teaches a spring (72) mounted in the housing (30) so as to extend along a length of the housing (30) and to stay in spring biased contact with the reciprocating antenna (32). But Jones does not mention the spring (72) is a torsion spring. However, Jones does mention the spring (72) can be (or) similar biasing means can be used to aid in the extension of housing (30), or similar type of retention mechanism, can be used in either an extended or retracted position along a of the housing (30) (see fig. 10-13, col. 10, lines 59-65). In this case, the torsion spring can be similar biasing and can be used to

extended or retracted position along of the housing (30), that it would have been obvious to spring (72).

However, Hutchison teaches a torsion spring mounted in the housing of the apparatus (300) to trigger a release mechanism, which will release the energy stored in a spring, which will urge the two parts of the apparatus towards a new position and cause the antenna to extend from within the apparatus along a length of the housing (see fig. 3a-b) and to stay in spring biased contact with the reciprocating antenna (320) (see page 1, section [0017-0018], and page 3, section [0050]). Hutchison also teaches the antenna 200 is fully extended, the rod antenna is connected to the transceiver via fixed spring contact 150 and conductive collar 240. a mechanism allows the user to activate a release button which causes the clamshell arrangement to be urged towards the fully opened position. Such a mechanism can be realised through use of a torsion spring fitted in the hinge mechanism, which acts to urge the two halves of the clamshell arrangement apart towards the equilibrium position where they are approximately 160.degree apart. Closing the clamshell arrangement requires the user to provide energy to overcome the biasing of the spring, and this energy is stored in the spring and utilised when the telephone is next opened. The release mechanism re-engages when the clamshell arrangement is fully closed and locks the arrangement in the closed position. The user pushes the release button, and the clamshell arrangement will open under the action of the energy-storing torsion spring, and the antenna will extend simultaneously. Once the user has completed his telephone call, he manually closes the clamshell arrangement, overcoming the bias of the torsion spring, and causing the antenna to be withdrawn simultaneously (see fig. 3a-b, and page 3, section [0050-

0052)). In this case, that is obvious to the torsion spring mounted in the housing so as to extend along a length of the housing and to stay in spring biased contacted of the claim limitation.

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of Jones with Hutchision, in order to provide the action of the energy-storing torsion spring and the bias of the torsion spring to extending and retracting an antenna (see suggested by Hutchision on page 3, section [0052]).

Regarding to claim 27, Hutchision teaches the antenna 200 is fully extended, the rod antenna is connected to the transceiver via fixed spring contact 150 and conductive collar 240 (see fig. 2b, and page 3, section [0050]). In this case, the spring is electrically conductive.

3. Claim 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (U.S. Patent No. 6509876) in view of Hutchision (U.S. Pub. No. 2001/0005179), further in view of Sward (U.S. Pub. No. 20030210199)

Regarding to claim 26, Hutchision teaches the antenna 200 is fully extended, the rod antenna is connected to the transceiver via fixed spring contact 150 and conductive collar 240 (see fig. 2b, and page 3, section [0050]).

Moreover, the related art Sward teaches *a spring for electrical contact to the antenna module* (see fig. 7A-B, page 3, sections [0022 and 0024]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of Jones and Hutchision with Sward, in order to provide extending and retracting an antenna and also provide an electrical connection between the antenna and electronic device (see Sward page 3, section [0022]).

Regarding to claim 28, Jones teaches a compression spring (72) to assist in extending the antenna unit from the communication module (see figs. 8-9, antenna extended position and retracted position 36, and figs. 2-3 and 8-9, col. 8, lines 52-63). But Jones does not mention a compression spring (72) is in between the housing and the antenna.

However, Sward teaches a compression spring (31) is in between the housing (34) and the antenna (25) (see fig. 2B and 7A-B, page 6, sections [0057-0058]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify above teaching of Jones and Hutchison with Sward, in order to provide extending and retracting an antenna and also provide an electrical connection between the antenna and electronic device (see Sward page 3, section [0022]).

Response to Arguments

4. Applicant's arguments with respect to claim 25, has been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that the reference of Jones teaches the spring (72) can be (or) similar biasing means can be used to aid in the extension of housing (30), or similar type of retention mechanism, can be used in either an extended or retracted position along a of the housing (30) (see fig. 10-13, col. 10, lines 59-65). But the spring is not a torsion spring. Since you have retractable antenna using regular spring, one skill in the would motivate to use one type of the conventional spring (torsion) over another (coil spring). So that the spring (72) of Jone, which would have been obvious to the conventional spring (torsion).

Conclusion

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for Technology Center 2600 only)

Hand-delivered responses should be brought to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (571) 272-7888. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor, Anderson, Matthew D., can be reached at (571) 272-4177.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tan H. Trinh
Division 2618
September 25, 2008

/TAN TRINH/
Primary Examiner, Art Unit 2618
09-25-2008